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1 APPEARANCES: 1	Cas	se 1:01-cv-00467-SSB	-5	Filed 03/02/2005 Page 2 of 3
On behalf of the plainisffs: Mark J. Byrme, Fas. Archi, Kleirman, Saible S. Mohen, Kleirman, Kleib, 45302 Charles, Kleib, 45302 Charles, Kleirman, Kleib		=	١.	Page 4
on behalf of the paintiffs: Mark J. Byrm. Esq. 3		APPEARANCES:		
Mark 1, Drive, Servet Jacobs, Kierieran, Seible & McNally Co., L. P.A. 2200 Krayer Baldung 1014 Viro. Servet Contensato, Robe 45202		On behalf of the plaintiffs:		
4 of Slooks Kleimans, Seible Slooks Kleimans, Slooks Kleim	3	Mark I Byrne, Esq.	3	
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Tomostate, Ohio 45302 On behalf of PACE International Union: James B. Robinson, Esq. (vin Explore). On behalf of PACE International Union: James B. Robinson, Esq. (vin Explore). On behalf of International Paper: On behalf of Strant Paper Company: On behalf of Strant Paper Company: On behalf of International Paper: On behalf of Strant Paper Company: On		2300 Kroger Building	6	BY MR. BYRNE:
On behalf of PACE International Union: James B. Robinson, Esq. On behalf of PACE International Union: James B. Robinson, Esq. Krichter, Robins & Welch 1014 Vine Street, Stutic 2520 Concinental, Ghio 45202 12 On behalf of International Paper: 13 Vincent J. Miragifa, Esq. (via telephone) 15 Self-popilar Avenue 16 6400 Popilar Avenue 17 On behalf of Smart Paper Company: 18 19 To Mosgan, Lewis & Bocklas, L.L.P. 19 Mosgan, Lewis & Bocklas, L.L.P. 1111 Pennsylvenia Avenue, NW Washington, DC 20004 11 To ND EX TOM STEWART PAGE 11 TOM STEWART PAGE 12 TOM STEWART PAGE 13 Page 3 To M STEWART PAGE 14 Examination by Mr. Robinson 61 Examination by Mr. Robinson	6		7	MR. MIRALGIA: This is Vincent Miralgia
James B. Robinson, Eva. of Kircher, Robins & Welch 1014 Vine Street, Suite 2509 Concentral, Ohlo 45022 12 Concentral, Ohlo 45022 13 Concentral, Ohlo 45022 14 Concentral, Ohlo 45022 15 Concentral, Ohlo 45022 16 Concentral, Ohlo 45022 17 Concentral, Ohlo 45022 18 Concentral, Ohlo 45022 18 Concentral, Ohlo 45022 19 Concentral, Ohlo 45022 19 Concentral, Ohlo 45022 10 Concentral, Ohlo 45022 11 Concentral, Ohlo 45022 11 Concentral, Ohlo 45022 11 Concentral, Ohlo 45022 11 Concentral, Ohlo 45022 12 Concentral, Ohlo 45022 11 Concentral, Ohl		,	8	for International representing International
of Kirober, Robins & Walch 1014 Vine Street, Suite 250 1 12			9	Paper. This deposition is noticed under a 30B6
1014 Vine Steers, Suite 2520 12 12 12 13 16 us this afternoon. While Mr. Stewart has done his best to prepare for this 30B6 13 13 13 13 13 13 13 1		of	10	notice from Mr. Byrne that was actually faxed
Cincinnati, Ohio 452072 On behalf of international Paper: On behalf of Smart Paper Company: On Morgan, Lewis & Bocklus, L.L.P. Illi Pannaylvania Avenue, NW Washington, DC 20004 22 23 Washington, DC 20004 Page 3 INDEX	10		11	to us this afternoon. While Mr. Stewart has
On behalf of International Paper: Vincent J. Miraghia, Esq. (via telephone) 6400 Poplar Avenue 6400 Poplar			12	done his best to prepare for this 30B6
Vincent J. Miraglia, Esq. Vincent J. Miraglia, Esq. Vina telephone) 640 Poplar Avenue	12	On behalf of International Paper:	13	* •
(via telephone) 600 Poplar Avenue 15 600 Memphis, Tennessee 38197 16 60	13	·	14	
15 Memphis, Temessee 38197 On behalf of Smart Paper Company: 16 On behalf of Smart Paper Company: 17 Charles P, Groppe, Esq. (via telephone) 18 (via telephone) 19 Morgan, Lewis & Bocklus, LL.P. 1111 Pemaylvania Avenue, NW 20 Washington, DC 20004 21	14			
On behalf of Smart Paper Company: 17 Charles P. Groppe, Esq. (via telephone) Of Morgan, Lewis & Bocklus, L.L.P. 1111 Pennsylvania Avenue, NW Washington, DC 20004 20 TOM STEWART PAGE 10 Examination by Mr. Byrne Examination by Mr. Robinson Examination by Mr. Groppe 62 EXHIBITS MARKED REFERENCED 10 Plaintiff's Exhibit 4 Plaintiff's Exhibit 5 Plaintiff's Exhibit 4 Plaintiff's Exhibit 5 Plaintiff's Exhibit 5 Plaintiff's Exhibit 6 Plaintiff's Exhibit 6 Plaintiff's Exhibit 7 Plaintiff's Exhibit 8 Plaintiff's Exhibit 8 Plaintiff's Exhibit 9 Plaint		6400 Poplar Avenue		•
17 Charles P. Groppe, Esq. (rounderphone) 18 that objection is noted for the record. If you go ahead, Mr. Byrne. 19 Morgan, Lewis & Bocklus, L.L.P. 1111 Pemaylwain Avenue, NW Washington, DC 20004 22 MR. BYRNE: I was going to wait until you were done with all of them, Vinny. 23 we'll see where you go. 24 MR. BYRNE: Just for the record, I wanted to state that you and I have been trying to we'll see where you go. 25 TOM STEWART PAGE 26 Page 27 TOM STEWART PAGE 28 PAGE 29 TOM STEWART PAGE 30 People who may have knowledge regarding some of the subjects listed in the 30BG. And in light the subjects listed in the 30BG. And in light the subjects listed in the 30BG who may have knowledge regarding some or relating to some of these issues. Although these specific issues probably weren't identified, we've exchanged several emails trying to identify these people. And further, you have agreed that we would discuss further to identify International Paper individuals under a 30BG who may be able to answer some of the other issues that are identified. Does that sound somewhat consistent to where we've been? 28 Plaintiff's Exhibit 4 33 29 Plaintiff's Exhibit 4 33 20 MR. BYRNE: Just for the record. If you have agreed that we would all for them, Vinny. 21 Were done with all of them, Vinny. 22 MR. MIRALGIA: That's enough for now, we'll see where you go. 23 MR. BYRNE: Just for the record. I wanted to state that you and I have been trying to for some people who may have knowledge regarding some of the subjects listed in the 30BG. And in light the subjects listed in the 30BG. And in light the subjects listed in the 30BG. And in light the stamination by Mr. Groppe 30 Page work through these issues states to get a deposition of some people who may have knowledge regarding some of these issues. Although these specific issues probably weren't identified, we've exchanged several emails trying to identify these people. And further, you have agreed that we would discuss further to identify International Paper individuals under a		Memphis, Telliessee 3019/	1	
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23 24 Q. And Mr. Stewart, my name is Mark Byrne and	22		ı	•
24				
	24 25		25	I represent a number of individuals who were

2 (Pages 2 to 5)

Cas	se 1:01-cv-00467-SSB	-5	Filed 03/02/2005 Page 3 of 3
	Dans 62		Page 64
١.	Page 62 MR. ROBINSON: Yes.	١,	a person with knowledge in our initial I
		1 2	just don't recall that from three years ago.
2	MR. MIRALGIA: Okay.	3	MR. BYRNE: I can't remember either,
3	Q. Did the union give up anything they were		·
4	entitled to under that contract?	4	Vinny. I think the point is, there's some issues that International Paper was asked about
5	A. Under the terms of the Effects Bargaining	5	and he was appointed to represent International
6	Package?	6	Paper with respect to those issues.
7	Q. Correct.	8	MR. MIRALGIA: Clearly.
8	A. No, sir. I think this were all additions		MR. BYRNE: Okay. That's all I have at
9	to the existing Collective Bargaining Agreement.	9	the moment, sir. Thank you.
10	 Q. Why did you agree to pay severance pay to 	10 11	THE WITNESS: Thank you.
11	some people?	12	THE WITNESS. Thank you.
12	A. Well, it was a matter of company policy,	13	
13	that this is something that we that we wanted to	13	
14	do it - was something that we typically had done in	14	TOM STEWART
15	other plant sales and closures. And we certainly	15	IOW SIEWARI
16	didn't want to treat these employees differently.	16	
17	Q. Do you have any employment relationship	17	DEPOSITION CONCLUDED AT 5:59 P.M.
18	with the company at this point?	18	DEFOSITION CONCLUDED AT 5.35 F.M.
19	A. No, sir.	19	***
20	Q. Do you know where Anneta Johnston is now?	20	
21	A. I do not. The last I heard and this is	21	
22	like three-year-old information — is that she was in	22	
23	North Carolina, but I can't tell you, Jim.	23	
24	Q. Okay, thanks.	24	
25	EXAMINATION	25	
l ZJ	EXAMINATION	1 43	
	Dans 62		Page 65
	Page 63		Page 65
1	BY MR. GROPPE:	1	CERTIFICATE
1 2	BY MR. GROPPE: Q. This is Charlie Groppe, I represent Smart		CERTIFICATE STATE OF OHIO :
1 2 3	BY MR. GROPPE: Q. This is Charlie Groppe, I represent Smart Papers in this case. I just have two or three	1	CERTIFICATE STATE OF OHIO : : SS
1 2 3 4	BY MR. GROPPE: Q. This is Charlie Groppe, I represent Smart Papers in this case. I just have two or three questions for you, if you don't mind.	1 2	CERTIFICATE STATE OF OHIO: : SS COUNTY OF CLERMONT:
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1 2 3 4 5 6	BY MR. GROPPE: Q. This is Charlie Groppe, I represent Smart Papers in this case. I just have two or three questions for you, if you don't mind. Did anyone from Smart Papers participate in your bargaining with PACE over the effects of the	1 2 3 4	CERTIFICATE STATE OF OHIO: : SS COUNTY OF CLERMONT:
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17 (Pages 62 to 65)